

TOWN OF EMMITSBURG

300A South Seton Avenue
Emmitsburg, Maryland 21727
301-600-6300 fax: 301-600-6313

Mayor

Donald N. Briggs

Town Manager

David Haller

Town Clerk

Cathy Willets

Board of Commissioners

Timothy O'Donnell, President

Clifford Sweeney, Vice President

Glenn Blanchard, Treasurer

Jennifer Mellor

Joseph Ritz III

TOWN MEETING AGENDA JULY 5, 2016

I) CALL MEETING TO ORDER (7:30PM)

A. PLEDGE OF ALLEGIANCE TO THE FLAG

B. NEXT MEETINGS:

Town Meeting August 1 @ 7:30pm

Citizen's Advisory Committee July 19 @ 7:30pm

Planning Commission July 25 @ 7:30pm

C. APPROVE MINUTES FROM: June 6, 2016

D. POLICE REPORT

E. TOWN MANAGER'S REPORT

F. TOWN PLANNER'S REPORT

G. COMMISSIONER COMMENTS

H. MAYOR COMMENTS

I. PUBLIC COMMENTS

J. ADMINISTRATIVE BUSINESS (see attached)

K. CONSENT AGENDA

For more information go to www.emmitsburgmd.gov

L. REPORTS

Treasurer's
Planning Commission

II) AGENDA ITEMS:

- 1. Discussion concerning sidewalk maintenance in front of homes and businesses.*
- 2. Discussion of proposed dog park*
- 3. Discussion related to metrics for Town website.*
- 4. Recommended hiring of Matthew Desmond for the position of Lead Sewer/Water Operator*

III) SET AGENDA ITEMS FOR August 1, 2016 TOWN MEETING

IV) SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

ITEM C

MEETING MINUTES:

June 6, 2016

**MINUTES
TOWN MEETING
June 6, 2016
Emmitsburg Town Office**

Present: Mayor Donald Briggs; Commissioners Clifford Sweeney, Joseph Ritz III, Jennifer Mellor, Glenn Blanchard, and Tim O'Donnell, President.
Staff present were Cathy Willets, Town Clerk; Cole Tabler, Town Accountant; Amy Naill, Recording Secretary; and Dave Haller, Town Manager.

I. Call to Order

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the June 6, 2016 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

Announcement of a Closed Session:

President O'Donnell announced at the close of this meeting there may be a closed executive session as permitted by the general provisions article section 3-305(b)(1) a potential personnel matter.

Motion- To close the June 6th Town Meeting at its conclusion for a closed executive session as permitted by the general provisions article section 3-305(b)(1), Annotated Code of Maryland which is to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees or officials over whom the public body has jurisdiction or any other personnel matter that affects one or more civic individuals.

Approval by Commissioners for a closed executive meeting
Motion by Commissioner Blanchard, Second Commissioner Mellor
Vote 5-0 in favor

Police Report: Deputy Whitehouse presented the police report from May (Exhibit). Deputy Whitehouse mentioned the theft of the Town sign on Harney Road and stated they do not have any suspects yet. The Jim Moxley Memorial Rocket Club was a big success with ten children attending. The next rocket club is June 26th at Memorial Park between the hours of 2-5 PM. Deputy Whitehouse also asked residents for suggestions by placing comments on the Town Website in the deputy section.

Commissioner Comments:

Commissioner Ritz III: Apologized for not attending the rededication ceremony of the Doughboy Statue.

Commissioner Mellor: Mentioned the flowers in the median of Silo Hill Parkway look very nice.

Commissioner Sweeney: Stated the rededication of the Doughboy Statue was a nice presentation. He encouraged everyone to come out to Community Heritage Day scheduled for Saturday, June 25th.

Commissioner Blanchard: Mentioned the rededication of the doughboy statue. He thanked Mr. Eugene Zacharias for attending. He thanked the American Legion, Veterans of Foreign

Wars Post #6658, the Vigilant Hose Company and also the Vigilant Hose Ladies Auxiliary for their help with the rededication.

Commissioner O'Donnell: Thanked Commissioner Blanchard for his part in the doughboy rededication ceremony. He thanked the Mayor for his quotes from Rudyard Kipling, he said they were very poignant.

He mentioned at Community Heritage Day there will be mountain Bike rides in the morning, a kid's ride on the family trail in Community Park, also a bike safety rodeo in Community Park.

Mayor's Comments –

Mayor Briggs: Mentioned that if the doughboy statue would not have been knocked down we would have never met the wonderful group of people that assembled at the rededication. He also mentioned an article in the Frederick News-Post concerning the Daughters of Charity and the bus tours they are hosting in the area.

Administrative Business –

- Commissioner Ritz: Did not receive any follow-up concerning the fireworks funding. The Mayor stated the Town contributed \$1,500.00 this year to make up for the decreased donation last year.
- Commissioner O'Donnell: Spoke concerning the Recreational Trail Program Grant. He explained that this is a federal grant that is managed by the State of Maryland.

He said previously the board had voted in favor of accepting \$30,000.00 of a \$40,000.00 grant and the Trail Conservancy would cover the balance with their match and therefore there would be no out of pocket match for the Town. The Trail Conservancy contacted Commissioner O'Donnell and stated they would be willing to write an addendum to modify how the grant would be applied so the Town could recover \$10,000.00 additional. The additional \$10,000.00 would be applied to the professional design of the trail.

Gavel was given to Commissioner Sweeney

Motion: For the Town of Emmitsburg to accept without obligation for matching funds, the Recreational Trail Program Grant for 2016 with the addition of \$10,000.00 to the standing \$30,000.00 Recreational Trail Program Grant for a total of \$40,000.00, which will made available for trail design and construction for the Town of Emmitsburg by the Trail Conservancy.

Motion by Commissioner O'Donnell, Second by Commissioner Blanchard
Vote 5-0 in Favor

Consent Agenda – No Items

Reports:

Treasurer's Report –Commissioner Blanchard reported on May 2016 cash activity (Exhibit).

Planning Commission Report – No Report

II. Agenda Items

Review and Discussion of the 2017 Town of Emmitsburg Budget:

Mr. Tabler: Asked for questions and additional comments from the Commissioners concerning the 2017 Town budget.

Commissioner Sweeney: Gave Mr. Tabler some suggestions for the uses of \$77,458 located in the Capital Projects Budget under West Lincoln Avenue. He would like to see it used to connect the sidewalk that is missing from West Lincoln Avenue and to help fund the square project.

Commissioner Mellor: Asked if we still have an amount in the parks budget that is not being used for the defunct summer concerts. She would be in favor of transferring the funds into another area in order to fund a community event.

Mr. Haller: Cautioned the Board concerning the liability in how the event was funded. His concern was funding it as a donation versus directly funding it as a line item. He asked the Commissioners to confer with Mr. Tabler to see if the concerts are still funded in the budget.

Mr. Tabler was asked what is included the 6901 Special Events/Program Cost under Parks.

Consensus from board in order that Mr. Tabler can research what 6901 Special Events/Program Cost consists of during a recess.

Commissioner O'Donnell: Asked for a recess of 5-10 minutes at 8:26 PM in order for Mr. Tabler to access budget figures for the Commissioners concerning what 6901 Special Events/Program Cost consists of.

Meeting was reconvened at 8:35 PM

Mr. Tabler: The \$1,000.00 was used in the past for fireworks. He said within the different accounts there is no specific allocation to specific checks that we write, this is an estimate of what we want to place there during the coming fiscal year, should there be a need.

Motion: To move \$500.00 from the 6901 Special Events/Program Costs to 6902 Donations for the fiscal year 2017 Parks Budget.

Motion by Commissioner Sweeney, Second by Commissioner Mellor
Vote 5-0 in favor

Commissioner Mellor- Mentioned a typographical error on page 6 a miss-spelling of revenue missing the second "e".

Commissioner Ritz III- Wanted to clarify that the tax rate was not increased.

Mr. Haller- Reminded the Commissioners that they will have to revisit the tax rate in the future. The tax base has dropped and it has not recovered. So you are running at about 10% less revenue.

Commissioner O'Donnell- Asked about a one-time streets compensation revenue from the State of Maryland.

For more information go to www.emmitsburgmd.gov

Mr. Tabler - Stated that under the State Highway use that we would have a one-time amount of \$71,000 coming from the State of Maryland pending receipt.

Motion: To approve Fiscal Year 2017 Town of Emmitsburg Budget as amended.

Motion by Commissioner Sweeney, Second by Commissioner Blanchard

Vote 5-0 in favor

Set Agenda Items for June 6, 2016 Town Meeting

1. Discussion concerning sidewalk maintenance in front of homes and businesses.
2. Discussion of proposed dog park
3. Discussion related to metrics for the Town website.

IV SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

IV Adjournment

With no further business, the June 6, 2016 Town Meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Cathy Willets, Town Clerk

Approved:

After the end of the Meeting the Board of Commissioners of Emmitsburg presented Mr. David Haller, the Town Manager with a plaque: "Presented with great honor and gratitude, for many years in your service as Town Manager for the Town of Emmitsburg from August 10, 1998 to June 30, 2016, the Mayor and Commissioners express appreciation and wish you well in your retirement.

ITEM E

TOWN MANAGERS REPORT

Town Manager's Report
MAY 2016
Prepared by Cathy Willets

Streets:

- Staff conducted inventory of missing street light covers
- Staff straightened parking meter poles on East & West Main St.
- Staff swept parking spaces on East & West Main St.
- Frederick Co Paving sealed some blacktopped patches
- Staff assisted with dedication of Doughboy statue

Water:

- Rainbow Lake is now at the spillway level.
- The roughing filters are being backwashed three times a day and the DE filters are being done once per week.
- Our wells are now on average 2.25' below their May 2011 levels.
- Water production and consumption. We produced an average of 305,079 GPD. We consumed an average of 270,199 GPD.

The difference is "Backwash Water" ... (11.4%). We purchased 391,700 gallons of water from MSM this month.

- 43.0% of this water came from wells.
- 4.0% of this water came from Mt. St. Mary's.
- 56.0% of this water came from Rainbow Lake.

Wastewater:

- The overland flow treatment system is shut down.
- We received about 5.4" of precipitation this month (the average is 4.3").
 - We have a precipitation **DEFICIT** of 2.8" over the last six months. The average precipitation for the period from Nov 1 thru April 30 is 20.84". We have received 18.0" for that period.
- Wastewater Treatment:
 - We treated an average of 657,467 GPD (consumed 270,199 GPD) which means that 41% of the wastewater treated this month was "wild water".

- We had no spills of untreated sewerage in the month of May.
- We exceeded the plant's design capacity on six days in the month of May.

05/02 1,128,000	05/03 1,398,000	05/04 1,127,000	05/06 1,476,000
05/07 1,065,000	07/23 764,000		

Trash: Trash pickup will remain Mondays for the remainder of the month of July.

Parks:

- Staff mowed, trimmed & weed killed in all the parks
- Staff installed new bike racks in Memorial, Silo Hill and Community Park
- Staff prepared the garden plots in Community Park
- Staff conducted maintenance at the pool in preparation of opening day
- Staff conducted maintenance at the ballfields

Meetings I attended:

- 05/02 Town Meeting
- 05/04 Staff meeting with Mayor about Solar
- 05/05 Staff meeting with Mayor and Planning & Zoning
- 05/13 Staff meeting with Town Accountant, Mayor regarding Budget
- 05/16 Town Meeting
- 05/18 Meeting with Staff & Fire Museum personnel to discuss sprinkler system
- 05/25 Meeting with Staff & FEMA regarding snow removal reimbursement
- 05/26 Meeting with VFW, American Legion, personnel, etc. regarding the Doughboy re-dedication
- 05/26 POS grant meeting in Walkersville

PARKING ENFORCEMENT REPORT

Date: May 2016

Overtime Parking: 93

Restricted Parking Zone: 5

24 Hour Consecutive Parking: 2

Parked in Crosswalk:

Parked on Sidewalk:

Parked Blocking Road:

Parked by Fire Hydrant:

Parked on Highway:

Failure to Park between Lines:

Other Violation: 1

Left Side Parking: 1

Street Sweeping:

Meter Money: \$1,241.66

Parking Permits: \$115.00

Meter Bag Rental:

Parking Ticket Money: \$ 520.00

Funerals:

Total: \$ 1,876.66

Zoning/Code Enforcement Report**May 2016**

1. Provide savings estimate for solar transfers. Met with SHA on N Seton to review solution to correct the sidewalk stairs in order to conform with ADA requirements.
2. Investigate Community Park property line with Jim Click to locate dead tree.
3. Arranged another meeting with Potomac Edison at their offices to review NEMR procedures.
4. Assisted in coordination of final pool repairs and inspections.
5. Wrote a text amendment sidewalk maintenance.
6. Continue discussions on Power Star and delivery with distributor and EMS in England.
7. Put together the documentation for FEMA disaster relief with Jim Click and Cathy Willets.
8. Drafted letter to Frederick County about Emmitsburg Road.
9. Attended Daughters of Charity Commissioning ceremony for the Town.
10. Completed and submitted a bikeways grant application to SHA.
11. Wrote letter to SHA regarding street lights on South Seton.
12. Attended several project meetings with Town staff.
13. Begin to arrange a meeting with the Flat Run Bridge bidder.
14. Follow up with MHT on Square Grant extension.
15. Inspect 106 W Main Street with Chris Wantz for water service issue. Follow up with letter to the owner.
16. Meet on site with Sleep In regarding storage.
17. Continue to coordinate with SHA on Square Project. .

Zoning permits and/or zoning letters issued

Date	Address	Type	Fee
05-19-16	101 Silo Hill Rd	U&O	\$35
05-27-16	806 Frailey Rd	Renovation	\$133
05-31-16	320 E Main	Shed/ garage	\$42
06-01-16	300 E Main	Roof	NC/ CL
06-15-16	3100 Stonehurst	Solar Panels	\$73
06-15-16	3125 Stonehurst	Solar Panels	\$65

ITEM F

Planner's Report

May 2016

Susan H. Cipperly, Town Planner

Attended Town Meeting May 2

1. Geographic Information System (GIS)
 - Created maps, including Zoning 2015, Community Legacy projects, Historic District, which will be placed on the town website.
 - Downloaded aerial photo layer for Emmitsburg and town-owned lands to the west, provided by ALWI.
 - Continued online GIS training via ESRI site (software provider). Will be continuing effort.
 - Requested assistance from Frederick County GIS to integrate a mailing list into the parcel data set.
 - Created maps for use in a bikeway feasibility study grant application.
 2. Community Legacy Program
 - Continued coordination with DHCD regarding MD Historical Trust reviews and reimbursement requests for projects.
 - Created materials for MHT review for those projects approved by the group, and submitted them for review.
 - Received one MHT approval -- for repointing/painting of 1-3 E. Main, and processed grant agreement. Provided applicant with SHA contact information regarding the need for a permit for working adjacent to N. Seton Ave.
 - Provided application forms and info upon request.
 - Set up next Work Group meeting for June 10.
 - CL program file and financial records maintenance.
 3. Met with Frederick Co. Fire Museum and N'tl Fire Heritage Center and town staff regarding installation of sprinkler system that will also serve as an educational tool.
 4. Supervised and undertook Code Enforcement and Zoning activity. Primary enforcement concerns this month were mowing, unlicensed vehicles on lots, and accumulated trash. Yard sale signs continue to be placed illegally, so have been removed.
 5. Met with consultant for potential development on Silo Hill Parkway, and provided follow-up information.
 6. Provided pictures of Community Legacy projects for placement on town website.
 7. Organizing computer and paper files.
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ITEM G

ADMINISTRATIVE BUSINESS:

Resolution 2016-01R Community Legacy Grant

**A RESOLUTION
APPROVING THE APPLICATION
AND RECEIPT OF FINANCING
FOR COMMUNITY LEGACY PROJECTS**

BE IT RESOLVED, ENACTED AND ORDAINED, this 5th day of July, 2016 by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, do, approve the application and receipt of financing for a Community Legacy Project (the "Project") further described in the Community Legacy Application (the "Application"), to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the Mayor and Board of Commissioners recognize that there is a significant need for reinvestment and revitalization of the communities in Frederick County/Town of Emmitsburg; and

WHEREAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the Mayor and Board of Commissioners and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor and Board of Commissioners hereby endorses the Project; and HEREBY approves the request for financial assistance in the form of a grant in the amount of \$75,000.00;

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

BE IT FURTHER RESOLVED THAT, Donald N. Briggs, Mayor, and Cathy Willets, Town Manager (Interim), are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

Resolution 2016-01R

Page 2 of 2

PASSED this 5th day of July, 2016.

BY ORDER: this 5th day of July, 2016, I hereby certify that Resolution Number 2016-01R is true and correct and duly adopted by the Mayor and Board of Commissioners of the Town of Emmitsburg.

ATTEST:

By: _____
Amy Naill, Recording Secretary

Timothy O'Donnell, President
Board of Commissioners

_____ APPROVED _____ VETOED

This 5th day of July, 2016

Donald N. Briggs, Mayor

ITEM H

CONSENT AGENDA:

No items

ITEM I

REPORTS:

Treasurer's Report - see attached

Planning Commission Report – to be given at the meeting

TOWN OF EMMITSBURG
CASH ACTIVITY as of June 28, 2016

\$4,409,919	Cash Balance June 1, 2016
102,792	Deposits
<u>-170,409</u>	Withdrawals
\$4,342,302	Operating Balance Forward

<u>Check Amount</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Date</u>	<u>Check Number</u>
\$44,440	Frederick County Paving, Inc	Paving & Seal Coating	06.15.16	35921
18,381	MD Dept of Budget & Mgmt	May 16 Health Insurance	06.01.16	35879
11,068	UGI Energy Services	May 16 Solar Field 2	06.22.16	35988
10,939	UGI Energy Services	May 16 Solar Field 1	06.22.16	35988
8,150	Blue Line Home Improvements	Install WWTP Steel Doors	06.17.16	35943
7,838	RSV Pools, Inc	June 16 Pool Mgmt Services	06.01.16	35884
6,146	Republic Services	May 16 Refuse Services	06.08.16	35887
5,297	Univar USA, Inc	Sulfate Chemicals	06.22.16	35989
4,338	Univar USA, Inc	Caustic Soda Chemicals	06.22.16	35989
4,338	American Legion	Community Legacy - American Legion	06.22.16	35985

Ck dates 06/01/16 to 06/28/16

AGENDA ITEMS

ITEM 1

Discussion concerning sidewalk maintenance in front of homes and businesses – ordinance 16-02

ORDINANCE SERIES: 2016
ORD. NO. 16-12

PAGE 1 OF 1

AN ORDINANCE TO AMEND
TITLE 12
OF THE CODE OF EMMITSBURG
ENTITLED
STREETS, SIDEWALKS AND PUBLIC PLACES

BE IT RESOLVED, ENACTED AND ORDAINED by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland including, but not limited to, Local Government Article, Section 5-217, Annotated Code of MD, and the Charter of the Town of Emmitsburg, that Title 12; Section 12.08.020 of the Emmitsburg Municipal Code, be amended as follows:

The amended section of this regulation reads as follows with new wording indicated in **BOLD, CAPITAL** letters and deleted words in ~~strike-out~~.

12.08.020 – Sidewalks – Repair by property owners and occupiers.

It shall be the duty of all owners and occupiers of land to keep the sidewalks and footways bounding thereon in good and proper repair and at all times free of nuisances, litter, trash and debris, including, but not limited to, **newspapers, smoking debris, trash and other types of litter. Upon observing an accumulation of debris, trash or other litter in violation of this section, the Town may send a written warning to the owner and/or occupier of the property adjoining the sidewalk in violation and inform that person of the requirements of this section and giving such person ten days to correct the violation. If the violation is not corrected within that time period, the violation shall constitute a municipal infraction punishable by a fine of twenty-five (\$25.00). A subsequent violation(s) at the same location within a ten day period shall be punishable by a fifty (\$50.00) fine.**

Whenever, in the opinion of the town staff and with the approval of the town manager, any sidewalk, or portion thereof, is out of repair and should be repaired or relaid, the mayor shall notify the owner by notice in writing to repair, or relay the same within twenty (20) days from the date of such notice.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners pass the Ordinance over the veto of the Mayor.

PASSED this ____ day of _____, 2016 by a vote of ____ for, ____ against, ____absent, and ____ abstain.

ORDINANCE SERIES: 2016
ORD. NO. 16-12

PAGE 2 OF 2

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS

By: _____
Amy Naill, Recording Secretary

Tim O'Donnell, President

_____ APPROVED _____ VETOED

this _____ day of July, 2016

Donald N. Briggs, Mayor

AGENDA ITEMS

ITEM 2

Discussion of proposed dog park

AGENDA ITEMS

ITEM 3

Discussion related to metrics for Town website – presentation at meeting

AGENDA ITEMS

ITEM 4

*Recommended hiring of Matthew Desmond for the position of Lead
Sewer/Water Operator*

IV) SET AGENDA ITEMS FOR August 1, 2016 TOWN MEETING

1.

2.

3.

4.

5.

6.

**V) SIGN APPROVED TEXT AMENDMENTS AND/OR
RESOLUTIONS**